

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

MARCUS FONTAIN,

Plaintiff,

v.

HARJINDER SANDHU, *et al.*,

Defendants.

: CASE NO. 1:22-cv-00124
:
: Judge Douglas R. Cole
: Magistrate Karen L. Litkovitz
:
:
:
:
:
:
:
:

AFFIDAVIT OF BRIAN J. O'CONNELL

Brian J. O'Connell, being first duly cautioned and sworn, states as follows:

1. I am trial attorney for Defendants Harjinder Sandhu, Jasreen Sandhu, H&R Cincy Properties, LLC, and Brian J. O'Connell (collectively "Defendants"), in the above-referenced proceedings. I have been duly licensed to practice law in the State of Ohio and admitted to the United States District Court for the Southern District of Ohio, for nearly 30 years. I am a shareholder in the Cincinnati law firm, Strauss Troy Co., LPA and I have concentrated my practice in civil litigation throughout my career. I am very familiar with charges by lawyers in the Greater Cincinnati area, regarding rates, necessity for services, and reasonableness of services.

2. Attached hereto is an accurate itemization of attorneys and paralegal time expended by the members of my office, Strauss Troy, regarding Defendants' Motion to Remand or in the Alternative Motion to Dismiss (Doc. 8), and this Affidavit is filed as directed by the Court in its Order dated August 4, 2022 (Doc. 17). The time expenditures set forth in the itemization were reasonably necessary and appropriate to present Defendants' Motion to Remand or in the

Alternative Motion to Dismiss, Reply to Plaintiff, Marcus Fontain's Response, to review the Court's Order, and to follow up as directed by the Court.

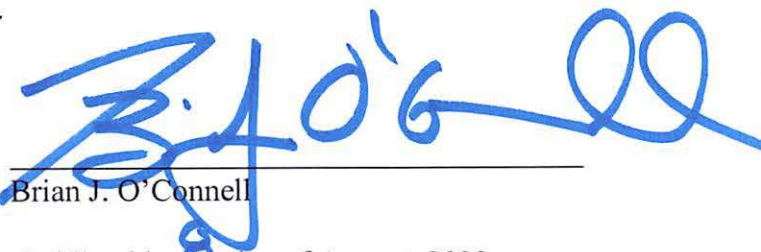
3. The amounts charged by Strauss Troy for attorneys and paralegal time set forth in the attached itemization are the amounts customarily charged by Strauss Troy for the listed attorneys and paralegal, is and are reasonable and appropriate hourly rates and charges for such legal work in the Greater Cincinnati legal and business community. Furthermore, the rates and amounts are reasonably necessary and appropriate for the work that is listed in the attached itemization.

4. The totals reflected in the right hand column represent the dollar value actually incurred for each entry. In light of the fact that both my clients (the Sandhus and H&R Cincy Properties) and myself were defendants in this action, the bill to the clients was discounted, roughly in half, as reflected in the narratives description for each entry.

5. The entries that are shown as "redacted" relate to services provided for one of the many other cases in which Mr. Fontain has sued these Defendants, other than this removal action. For the same reason the invoice totals, and names of attorneys who worked on other matters, were also redacted.

6. Accordingly, Defendants seek reimbursement of a total amount of \$2,487.50 pursuant to the Court's Order relating to this matter.

Affiant Further Sayeth Not.



Brian J. O'Connell

Sworn to and subscribed before me, a Notary Public, this 8 day of August, 2022.



ROBYN L. SHAPIRO
Notary Public, State of Ohio
My Commission Expires
October 1, 2022



Notary Public

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been filed electronically with the U.S. District Court this 8th day of August 2022. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. Notice of this filing will also be sent to Plaintiff, Marcus Fontain via U.S. Mail at 9378 Mason Montgomery Road #425, Cincinnati, OH 45040 and via email at marcus@mfontain.com.

/s/ Brian J. O'Connell

Brian J. O'Connell

15873591-1



150 East Fourth Street
Cincinnati, Ohio 45202-4018
Tel: 513-621-2120
FEIN: 31-0865279
www.StraussTroy.com

HARRY SANDHU
4867 Gallop Run Road
Mason, OH 45040

Invoice Number: BJO 859342
Client Number: 110901
Invoice Date: 04/28/2022
Services Through: 03/31/2022
Due Date: Due Upon Receipt

INVOICE SUMMARY

Client: SANDHU, HARRY
Client No.: 110901.001 GENERAL

Legal Professional Fees

Redacted

Costs Advanced

Courtesy Discount

TOTAL INVOICE FOR ENCLOSED MATTERS

Prior Outstanding Balance for enclosed matters

TOTAL BALANCE DUE FOR ENCLOSED MATTERS

To pay online by Credit Card go to www.strausstroy.com/about/payment or to pay by phone call (844) 971-2025.
When paying by phone, the automated system will prompt you to enter your account # or invoice number. Please enter your 6 digit client number as your account #. You can find your client number at the top right of this page.



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Client: SANDHU, HARRY
Client No.: 110901

Redacted

Legal Professional Fees

Costs Advanced

Courtesy Discount

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Page: 2
 Invoice Number: BJO 859342
 Invoice Date: 04/28/2022
 Services Through: 03/31/2022

Matter: GENERAL

Matter No.: 110901.001

Client: SANDHU, HARRY

The legal professionals who worked on your matter are:

Name	Hours	Rate	Amount
Redacted			
Redacted			
Redacted			
SHAPIRO, ROBYN	Redacted	\$180.00	Redacted
O'CONNELL, BRIAN		\$325.00	
TOTALS			

LEGAL PROFESSIONAL FEES

Redacted

Redacted

Redacted

Redacted

Redacted

Redacted

Redacted



Page: 3
 Invoice Number: BJO 859342
 Invoice Date: 04/28/2022
 Services Through: 03/31/2022

Redacted

Redacted

Redacted

Redacted

Redacted

Redacted

03/14/2022	Federal Removal, Meeting with R. Shapiro and S. Schilling regarding motion to strike removal. Review objection filed by receiver (DISCOUNTED \$49.50). O'CONNELL, BRIAN	0.30 hours at \$325.00 per hour.	97.50
03/16/2022	Research and prepare Motion to Dismiss Notice of Removal to Federal Court (DISCOUNTED \$225.00). SHAPIRO, ROBYN	2.50 hours at \$180.00 per hour.	450.00
03/17/2022	Removal (DISCOUNTED \$65.00). O'CONNELL, BRIAN	0.40 hours at \$325.00 per hour.	130.00

Redacted

Redacted



Page: 4
Invoice Number: BJO 859342
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Services Through: 03/31/2022

Redacted

Redacted

Redacted

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Redacted

TOTAL LEGAL PROFESSIONAL FEES

Redacted

Courtesy Discount

TOTAL INVOICE FOR THIS MATTER



Page: 5
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Invoice Date: 04/28/2022
Services Through: 03/31/2022

Prior Outstanding Balance for this matter

Redacted

TOTAL BALANCE DUE FOR THIS MATTER



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HARRY SANDHU
4867 Gallop Run Road
Mason, OH 45040

Invoice Number: BJO 861740
Client Number: 110901
Invoice Date: 05/24/2022
Services Through: 04/30/2022
Due Date: Due Upon Receipt

INVOICE SUMMARY

Client: SANDHU, HARRY
Client No.: 110901.001 GENERAL

Redacted

Legal Professional Fees

Costs Advanced

Courtesy Discount

TOTAL INVOICE FOR ENCLOSED MATTERS

Prior Outstanding Balance for enclosed matters

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Invoice Number: BJO 861740
Client Number: 110901
Invoice Date: 05/24/2022
Services Through: 04/30/2022
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Client: SANDHU, HARRY
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Legal Professional Fees

Redacted

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Page: 2
 Invoice Number: BJO 861740
 Invoice Date: 05/24/2022
 Services Through: 04/30/2022

Matter: GENERAL

Matter No.: 110901.001

Client: SANDHU, HARRY

The legal professionals who worked on your matter are:

Name	Hours	Rate	Amount
Redacted			
Redacted			
Redacted			
SHAPIRO, ROBYN	Redacted	\$180.00	Redacted
O'CONNELL, BRIAN		\$325.00	
SCHILLING, STEPHEN		\$285.00	
TOTALS			

LEGAL PROFESSIONAL FEES

Redacted

Redacted

04/05/2022 Federal Removal. Email exchange with S. Schilling regarding Federal removal (DISCOUNTED \$377.50).
 O'CONNELL, BRIAN 2.30 hours at \$325.00 per hour. 747.50

Redacted

04/05/2022 Research Fontain's removal to federal court after the state-court case is over (DISCOUNTED \$190.50).
 SCHILLING, STEPHEN 1.30 hours at \$285.00 per hour. 370.50

04/06/2022 Removal. Arrange for filing of MTD/Motion to Remand arrange for filing notice of related cases (DISCOUNTED \$33.00).
 O'CONNELL, BRIAN 0.20 hours at \$325.00 per hour. 65.00

Redacted



Page: 3
Invoice Number: BJO 861740
Invoice Date: 05/24/2022
Services Through: 04/30/2022

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04/06/2022	Removal Action. Review, file, and serve Motion to Remand/Dismiss (DISCOUNTED \$68.00).		
	SHAPIRO, ROBYN	0.75 hours at \$180.00 per hour.	135.00
04/06/2022	Removal Action. Review and edition draft Motion to Remand to deal with Fontain's removal to federal court (DISCOUNTED \$100.50).		
	SCHILLING, STEPHEN	0.70 hours at \$285.00 per hour.	199.50

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Page: 5
Invoice Number: BJO 861740
Invoice Date: 05/24/2022
Services Through: 04/30/2022

Redacted

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04/27/2022	Removal Action. Prepare Reply Brief (DISCOUNTED \$81.50).		
	O'CONNELL, BRIAN	0.50 hours at \$325.00 per hour.	162.50

04/28/2022	Fed. Removal. Revise Reply Brief in Support of Motion to Dismiss (DISCOUNTED \$65.00).		
	O'CONNELL, BRIAN	0.40 hours at \$325.00 per hour.	130.00

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Page: 6
Invoice Number: BJO 861740
Invoice Date: 05/24/2022
Services Through: 04/30/2022

Redacted

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Redacted

TOTAL LEGAL PROFESSIONAL FEES

Redacted

COSTS ADVANCED
Redacted

Redacted

TOTAL COSTS ADVANCED

Courtesy Discount

TOTAL INVOICE FOR THIS MATTER

Prior Outstanding Balance for this matter

TOTAL BALANCE DUE FOR THIS MATTER